

This communication is being submitted within one month after the mailing date of the Office Action and, therefore, no fees should be due. However, should any fee be deemed necessary in connection with this communication, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account 23-1703.

REMARKS

I. Election/Restriction

The referenced application is a §371 national stage application, filed July 20, 2000, which is derived from PCT International Application No. PCT/SE00/00847, filed May 3, 2000 (the "PCT application"). A restriction requirement under 35 U.S.C. §121 was issued in the subject application. The alleged groups of inventions, i.e., Groups I-IX, are set forth in the Office Action at pages 2-3. In the event that Applicants elect one of Groups I-VI, the Examiner also required election of a specific CPU inhibitor and a specific thrombin inhibitor.

For examination purposes, Applicants elect the invention of Group I without traverse, and select Compound A [3-(6-amino-pyridin-3-yl)-2-mercaptomethyl-propanoic acid] as the CPU inhibitor, and melagatran as the thrombin inhibitor.

II. Remarks

Applicants have elected Group I without traverse, and have selected Compound A and melagatran, for examination. Applicants point out that the claimed invention directed to the same compounds was searched and found patentable in the related PCT application. In this regard, the Examiner's attention is directed to the International Preliminary Examination Report ("IPER") of the PCT application. The IPER was submitted as part of Applicant's Information Disclosure Statement mailed October 17, 2001.

Relying on the IPER, Applicants respectfully submit that the invention of elected Group I is allowable. Therefore, the Examiner is requested to rejoin the kit and method of use claims corresponding to elected Group I for examination as noted in the Office Action at page 3. Furthermore, in the event that the invention of Group I is found allowable, the Examiner is requested to rejoin Groups I and II as noted in the Office Action at page 3.

At page 4 of the Office Action, the Examiner alleges that there is motivation to combine thrombin inhibitors with CPU inhibitors, and therefore claim 1 is obvious. For the record, Applicants disagree with the Examiner's allegation of obviousness. However, as claim 1 has not been formally rejected, a detailed response to the Examiner's allegation will be made at such time that a formal prior art rejection is issued.

CONCLUSION

It is submitted that Applicants have completely responded to the restriction requirement. Applicants submit that the application is in condition for allowance, which action is earnestly solicited.

Dated: April 18, 2002

Respectfully submitted,

Andrew Fessak

Andrew Fessak

Reg. No. 48,528

Agent for Applicants

Customer Number: 007470

Direct Dial: (212) 819-8437